

## PURPOSE

The purpose of the Juvenile Justice Assignment Unit (JJAU) process is to meet the federal and state standards for the placement of juvenile justice youth when a youth is in need of placement in a state run or private, contracted juvenile justice residential treatment facility (secure or non-secure).

The JJAU placement process is required for placement in a state run or private, contracted juvenile justice residential treatment facility or state run detention facility. This policy provides guidance on the different processes for placing youth depending on the youth's legal status at the time of placement.

## DEFINITIONS

See [JJG Glossary, Juvenile Justice Glossary](#).

### **Qualified Residential Treatment Program (QRTP)**

A child caring institution is defined as a program that:

- Has a trauma-informed treatment model designed to address the needs, and clinical needs as appropriate, of youth with serious emotional or behavioral disorders or disturbances, and can implement the necessary treatment identified in the youth's assessment.
- Has registered or licensed nursing staff and other licensed clinical staff who can provide care, who are on-site consistent with the treatment model, and available 24 hours and 7 days a week. The QRTP does not need to have a direct employee/employer relationship with required nursing and behavioral staff.
- Facilitates family participation in youth's treatment program (if in youth's best interest).
- Facilitates family outreach, documents how this outreach is made, and maintains contact information for any known biological family and fictive kin of the youth.
- Documents how the youth's family is integrated into the youth's treatment, including post discharge, and how sibling connections are maintained.

- Provides discharge planning and family-based aftercare supports for at least 6 months post discharge.
- The program is licensed and nationally accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), the Council on Accreditation, or others approved by the Secretary.

### QRTP Independent Assessor

A trained professional or licensed clinician who is not an employee of the State agency and who is not connected to, or affiliated with, any placement setting in which children are placed by the State. 42 U.S.C. 675a(D)(i).

## JUVENILE JUSTICE ASSIGNMENT UNIT (JJAU)

Prior to a youth being placed in a residential setting, the caseworker must have approval on any applicable, required residential placement exception request(s).

The JJAU placement process is **not** required for family/community-based placements such as relative homes, licensed foster homes, independent living, etc. or for shelter residential care, county detention facilities or jail.

Prior to a youth being referred to the Juvenile Justice Assignment Unit (JJAU) for residential intervention, the caseworker must:

Conduct a family team meeting (FTM) to address the reason a residential care program is being recommended and determine if alternate support services and safety plans can be implemented to maintain the youth in the community. See [FOM 722-06B, Family Team Meeting](#) for more information on conducting an FTM.

Juvenile justice specialists seeking to place an MDHHS-supervised juvenile justice youth in an abuse/neglect residential treatment facility must have a court order and approval from the Division of Child Welfare Licensing (DCWL) using the placement exception request process. The JJAU must review the court order to confirm that the JJAU placement process is not required for this type of placement order.

Caseworkers seeking to place an abuse/neglect ward under the care and supervision of MDHHS in a state run or private, contracted juvenile justice residential treatment facility must be assigned by the JJAU. See Abuse/Neglect Youth in this item.

The JJAU will:

- Provide a timely placement that best matches the needs of the youth and family with the contracted Service Description of the residential facility based on the results of the Michigan Juvenile Justice Assessment System and the Juvenile Justice Strengths and Needs Assessment. The JJAU also considers any individual youth circumstances presented by the juvenile justice specialist that can assist in meeting the following placement selection criteria:
  - Permanency goal.
  - Treatment needs of youth, especially related to matching one of the following residential treatment Service Descriptions:
    - General Residential.
    - Mental Health and Behavior Stabilization.
    - Sexually Reactive Residential Care.
    - Developmentally Delayed/Cognitively Impaired.
    - Substance Abuse Treatment.
  - Youth's preference.
  - Placement of sibling groups.
  - Proximity to youth's family.
  - The youth and family's religious preferences.
  - Least-restrictive setting (for example, non-secure vs. secure).
  - Continuity of relationships.
  - Availability of placement resources for the purposes of timely placement and public safety.
- Comply with statutory requirements when making assignments to private, contracted juvenile justice residential treatment facilities.

- Minimize the time a youth spends in detention awaiting placement while allowing the assigned residential provider time to review JJAU packet to prepare for the youth's admission.
- Honor written court **orders** for a specific placement or security level. The JJAU also gives written court placement **recommendations** for juvenile justice youth to a specific juvenile justice residential treatment facility priority and will review the recommended placement for appropriateness prior to considering other placements.

**Exception:** A court **recommendation** for placement of a juvenile justice youth in an abuse/neglect placement will not be honored. Cross-program placement of a juvenile justice youth into an abuse/neglect residential facility requires a written court **order** and a Division of Child Welfare Licensing approved placement exception request. The JJAU must review the court order to confirm that the JJAU placement process is not required for this type of placement order.

## JJAU PREFERENCES

JJAU Preferences are maintained in MiSACWIS by the Division of Juvenile Justice Programs and are based on the state-run facility services and private, contracted juvenile justice residential treatment facility Service Description(s). State run and private, contracted juvenile justice residential treatment facilities and state-run detention facilities must maintain the following JJAU Preferences in MiSACWIS:

- An accurate email address for an intake specialist for each contracted Service Description to receive notification of JJAU assignments.
- The current number of vacancies for each contracted Service Description every seven calendar days, at a minimum.

## MDHHS- SUPERVISED JUVENILE JUSTICE YOUTH

All juvenile justice youth that have been referred or committed to MDHHS that require placement in a state run or private, contracted juvenile justice residential treatment facility or state-run detention

facility must be referred to the JJAU using the MiSACWIS JJAU Placement Referral process, even if the court has ordered or recommended a specific placement.

**Exception:** Placement of a MDHHS-supervised juvenile justice youth in a residential shelter placement or an abuse/neglect residential treatment facility does not require completing a MiSACWIS JJAU Placement Referral.

**Note:** Placement of a MDHHS-supervised juvenile justice youth in an abuse/neglect residential treatment facility must have a court **order** and approval from the Division of Child Welfare Licensing using the placement exception request process; see [FOM 722-03 for Placement Exception Request](#) information. The JJAU must review the court order to confirm that the JJAU placement process is not required for this type of placement order.

## Placement Exception Requests

Initial and ongoing Residential Placement Exception Requests are **not** required for MDHHS-supervised juvenile justice youth with a legal status of 40 - Court Ward Delinquent or 46 - Public Ward - Delinquent - Act 150 in a state run or private, contracted juvenile justice residential treatment facility or state detention facility.

The juvenile justice specialist must send placement exception requests to the Division of Child Welfare Licensing and obtain approval **prior** to making a JJAU Placement Referral in MiSACWIS:

- When the youth's placement will cause the facility to exceed contracted bed capacity.
- When a juvenile justice youth will be placed in an abuse/neglect residential treatment program.

**Note:** A court order to place a juvenile justice youth in an abuse/neglect residential treatment program is required.

- When a youth will be placed in a non-contracted program. See [FOM 903-04, Purchased Care Payment Procedures](#), for additional requirements of the Non-Contracted Placement Approval Process.

The juvenile justice specialist must submit requests for extensions of placement exception requests at least every 90 days.

**JJAU Placement  
Request Packet**

The juvenile justice specialist must complete a JJAU placement request packet. All documents must be legible and be released in compliance with federal and state law; see [SRM 131, Confidentiality](#). The JJAU must refer the youth for an independent assessment prior to residential placement in a QRTP.

The MDHHS-5847, Assessment for Determination of Placement Referral, will be reviewed and completed by the JJAU along with juvenile justice specialists in order to submit the referral for the assessment.

The juvenile justice specialist must enter as much of the JJAU Placement Request documentation in MiSACWIS as possible, either through direct entry into MiSACWIS or uploaded into MiSACWIS as one or more PDF. JJAU Placement Requests must include:

- MDHHS-5521, Juvenile Justice Assignment Unit (JJAU) Placement Referral Checklist.
  - Service plans and assessments that establish the youth's strengths/needs, risk and security level. These include:
    - The juvenile justice initial service plan and most recent updated service plan or supplemental updated service plan with accompanying residential treatment plan.
- Note:** If the youth's initial service plan was completed prior to 10/19/2015 and is not in MISACWIS, the initial service plan must be uploaded into the MiSACWIS JJAU Placement Request Additional Documents.
- Michigan Juvenile Justice Assessment System assessments.
  - JJ Strengths and Needs assessments.
  - Any sexual orientation, gender identity and gender expression (SOGIE) information the youth voluntarily provided. Use the MDHHS-5620, Sexual Orientation, Gender Identity and Gender Expression (SOGIE) Interview Tool.

**Note:** When deemed necessary, a trauma assessment, mental health or behavioral health assessment, psychological or

psychiatric evaluation may be required by the JJAU to assign the youth to an appropriate placement.

- Court orders:
  - Documenting offenses and adjudication or conviction.
  - Documenting disposition or sentencing, including commitment or referral of the youth to MDHHS for juvenile justice (adjudication orders may be combined with disposition).
  - Containing specific juvenile justice residential treatment facility recommendations or orders related to current JJAU placement referral.
  - Containing specific recommendations or orders for cross-program placement of an abuse/neglect youth into a state run or private, contracted juvenile justice residential treatment facility related to current JJAU placement referral.
  - Documenting requirements for restitution, court fees, DNA sample, fingerprinting, sex offender registration or other conditions set by the court.
- Support documents including:
  - Most recent initial or yearly medical examination.
  - Most recent initial or yearly dental examination.
  - Immunization record.
  - Medical passport.
  - Most recent psychological/psychiatric examination or trauma assessment if one has been completed.
  - Completed DHS-1643, Psychotropic Informed Consent, or prescribing clinician equivalent when youth is prescribed psychotropic medication.
  - Copy of birth certificate.
  - Copy of Social Security card or verification of number.

- Copy of approved DHS-62, Delinquent Youth DNA Profile Verification.
- Available petitions, police reports and victim impact statements.
- Competency and/or restoration evaluation(s), as applicable.
- Current education records, including report cards or progress reports and any special education information.

When documents are not immediately available, the juvenile justice specialist must notify the JJAU and provide the documents as soon as available.

The juvenile justice specialist must only provide historical residential treatment plans or detention reports when deemed crucial for placement decisions and in compliance with confidentiality requirements in [SRM 131, Confidentiality](#). In such cases, the juvenile justice specialist must condense crucial information into a brief one-to-two-page summary or cover letter with key issues highlighted or addressed via telephone call with the JJAU.

## QRTP Assessment

All youth entering a residential care program on or after April 1st, 2021, pursuant to Families First Preservation Act, 42 USC 672, must be assessed by a contracted qualified independent assessor. Whenever possible this will occur prior to referral to any residential care program. The facility director and/or designee must not routinely accept youth for placement from the JJAU unless that residential intervention is the least restrictive setting in which they can be served.

When JJAU receives a referral, they will begin to fill out form MDHHS-5847, Assessment for Determination of Placement Referral, in collaboration with the youth's juvenile justice specialist (JJS). Once JJAU determines that all required documentation is received and the MDHHS-5847 is complete, JJAU will make the referral to the independent assessor.

In some emergency situations, a youth may be referred to a residential care program prior to the completion of the assessment. In these instances, the residential care program is not responsible



for conducting or securing the assessment. The referral will be made by the JJAU and the assessment will be conducted by a qualified independent assessor. The facility director and/or designee must cooperate with the independent assessor and the youth's JJS for placement to ensure the youth receives the required independent placement assessment within 30 days of placement. MCL 722.123a(1)(a)(i)-(iii).

A QRTP assessment must be completed by an independent assessor within 14 days of referral and provided to JJAU so they may continue with residential referral process. See [FOM 912, MDHHS Responsibilities](#) for Independent Assessor responsibilities.

Within 60 days of placement in a QRTP, a family or juvenile court of jurisdiction will consider the assessment, determine the most appropriate placement of the youth and approve or disapprove the placement. MCL 722.123a(3).

If it is determined residential placement is not appropriate based on recommendations from independent assessment, the youth may remain in placement, however, Title IV-E funding will not be available after 30 days. 42 U.S.C. 672(k)(3)(B).

## JJAU Placement Match

### *Assigned*

An assignment is a placement where a youth's age, gender and indicated treatment needs align with the provider's contracted service description and JJAU Preferences and the provider has a vacancy expected within the next 7 days. The juvenile justice specialist must work with JJAU to provide any clarification necessary to prioritize one of the following Service Descriptions:

- General Residential.
- Sexually Reactive Residential care.
- Mental Health and Behavior Stabilization.
- Developmentally Delayed/Cognitively Impaired.
- Substance Abuse Treatment.

JJAU placement matches are based on the results of the most recently approved Michigan Juvenile Justice Assessment System Dispositional Assessment and the most recently completed Juvenile Justice Strengths and Needs Assessment. These

assessments, in conjunction with established placement selection criteria, are the basis for the final match that JJAU assigns for the youth.

***Wait List***

A youth may be placed on the provider wait list if the JJAU would have assigned the youth to the provider, but the provider has reported that there is no vacancy expected within the next 7 calendar days. Upon receipt of the wait list notification, the provider must notify the JJAU of the expected waiting period for the next vacancy. The JJAU must notify the juvenile justice specialist of the waiting period and the juvenile justice specialist must notify the court of the wait list status. The court may wait or direct a new JJAU assignment.

***Withdrawn***

If the assigned provider is not acceptable to the court or if the JJAU is provided with documents that eliminate the possibility of the youth being placed with the assigned provider, the JJAU will withdraw the assignment. The JJAU will assist the juvenile justice specialist to make a new assignment.

**Placement  
Provider  
Acceptance**

A state run or private, contracted juvenile justice residential treatment facility or state-run detention facility may not admit a MDHHS-supervised youth without an assignment from the MiSACWIS JJAU placement process. The provider must respond to the JJAU Assignment within 5 business days of receiving notification of an assigned or wait-listed youth.

***Accepted***

The provider accepts the assigned youth and enters a Probable Admit Date, which is required to be within ten calendar days of acceptance. If the provider cannot admit the youth within ten calendar days, the provider is responsible for notifying JJAU and the youth may be assigned to another provider based on the needs of the youth and the timeliness of the next vacancy.

The provider is required to contact the juvenile justice specialist within 1 business day of accepting the assigned youth to make arrangements for admission.

When notified of an accepted placement, the juvenile justice specialist is responsible for arranging transportation of the youth to the residential site; see [JJM 275, Transport and Youth's Meal Reimbursement](#).

***Not Accepted - Secure Providers***

Secure state run and secure private, contracted juvenile justice residential treatment facilities **must** accept every JJAU assignment.

***Not Accepted - Non-Secure Providers***

Based on the information provided in MiSACWIS and the JJAU Referral Packet, a non-secure private, contracted juvenile justice residential treatment facility may respond in MiSACWIS that a JJAU assigned youth is not accepted. A detailed explanation should be documented in MiSACWIS as to the circumstances that exist that would place the assigned youth, other youth or staff safety at risk.

If the provider has safety concerns but cannot make a decision based on the information available in MiSACWIS and the JJAU Referral Packet, the provider is required to contact the juvenile justice specialist or the JJAU within 1 working day to request supplemental information.

If the provider does not accept the youth based on safety reasons, any supplemental information should be returned immediately to the juvenile justice specialist or JJAU. The JJAU will assist the juvenile justice specialist to make a new assignment.

**YOUTH ACCEPTED**

Once a youth has been accepted for placement, the juvenile justice specialist must forward the following information to the placement provider by the scheduled admission date:

- DHS-3762, Consent to Emergency Treatment, signed by the caseworker.
- Photocopy of the active MI Health card (Medicaid) or the recipient ID number of the youth if the card is not available.
- Victim's rights information including name, address, telephone number, date of birth, and what victim's rights information has been requested.
- DHS-3600, Individual Services Agreement.

Or within two weeks of the youth's admission, the juvenile justice specialist must forward cumulative education records, including special education records and records of the last school attended, to assist the facility in development of an appropriate educational treatment plan to the residential treatment facility; see [JJM 723, Educational Services for Juvenile Justice](#).

## COURT SUPERVISED YOUTH

State run facilities must immediately report any court-supervised placements (also known as direct court placements) to the JJAU. A court-supervised placement occurs when the court orders a youth into a placement without referring or committing the youth to MDHHS for care and supervision. There is no open MDHHS juvenile justice case and the court retains full control of the case through its own probation officer. In the event that a court makes a court-supervised placement to a state-run juvenile justice facility, the facility must take the following immediate actions:

- Provide the court order placing the youth at the state-run facility and facility admission documentation to the JJAU.
- Coordinate with the court to schedule and conduct youth admission.
- Verify MiSACWIS payment rosters and enter medical chargebacks.

The JJAU must take the following actions:

- Review the order to verify the court-supervised placement.
- Complete a file clearance in MiSACWIS to determine if any cases are open with MDHHS.
- Create a MiSACWIS residential record and assign to facility intake.
- Record the placement and appropriate service authorization for chargeback to the county.

**ABUSE/NEGLECT  
YOUTH**

For the placement of an abuse/neglect youth in a state run or private, contracted juvenile justice residential treatment facility, see [FOM 903-04, Non-Contracted Placement Approval Process](#), for approval process and [FOM 722-03, Residential Placement Exception Request](#), for information on placement exception request (PER) processes.

**RESIDENTIAL  
REPLACEMENT  
PROCESS****Provider Request  
for Replacement**

A youth must not be moved from one residential treatment program or facility to another without going through the JJAU placement process. All replacement requests must go through the QRTP assessment process. The assigned provider must continue residential treatment services for the youth and the youth's family until:

- Release is approved by the court (MCL 803.307(1)).
- MDHHS assigns a new placement.

Disruption of, or non-cooperation in the program is not sufficient reason for replacement of a youth.

**Co-Located  
Residential  
Treatment  
Programs**

Youth must not be moved from one residential placement or program to another, even within the same campus/area without going through the JJAU placement process. A new JJAU Placement Referral must be completed in MiSACWIS when a youth will remain with the same provider, but permission has been given by the court to release the youth to a new placement or program with a different Service Description (for example, mental health and behavior stabilization to general residential), a change in rate, and/or security level. Information must be used from visits with the youth, treatment team and treatment plans to collaborate with the provider to ensure that a youth is benefitting from treatment.

**Maximum Benefit  
Reached**

When a youth does not benefit from or has reached maximum benefit from a treatment provider, the juvenile justice specialist must meet with the residential treatment staff to resolve the issue. If the issue cannot be resolved, the juvenile justice specialist must seek resolution through consultation with supervision and the facility director; and, if necessary, with the child welfare licensing consultant for the facility.

If these efforts still do not resolve the issue, the juvenile justice specialist must request a court hearing to determine continued placement or replacement of the youth.

If the court ordered or recommended the placement, a new court order must be requested. If the court determines that the youth should be replaced, the juvenile justice specialist must make a new JJAU Placement Referral in MiSACWIS.

**Detention to JJ  
Residential  
Treatment Facility**

A youth must not be moved from detention to a treatment program without using the JJAU placement process. Based on the contents of the detention court order, a new court order may be required to end the period of detention, direct the youth to a specific program or allow the JJAU to match a youth with an appropriate juvenile justice residential treatment facility.

**TEMPORARY  
BREAKS**

In cases in which a youth escapes or is absent from a placement for 14 calendar days or less (such as hospitalization), the youth may be placed back in the original placement without making a new referral to the JJAU. See [JJM 722-03A, Absent Without Legal Permission \(AWOLP\) & Escape](#), for additional requirements when a youth escapes.

If a youth escapes or is removed from a placement for more than 14 calendar days, the caseworker must make a new JJAU Placement Referral for replacement when:

- The court is informed and will accept return of the youth to the original placement.

- The caseworker has evaluated the circumstances relating to the escape/removal and believes return to the original placement is appropriate and in the best interest of the youth.

See [FOM 903-07, Temporary Breaks/Bed Hold Payments](#), for additional details regarding the payment and approval process for bed holds.

**Note:** A QRTP assessment is not needed if the youth returns to their original placement.

## INTERSTATE RESIDENTIAL PLACEMENT REQUESTS

A JJAU placement referral must be completed and all suitable juvenile justice residential placements in Michigan must be exhausted as a prerequisite to referral of a youth under MDHHS supervision to a residential treatment facility in another state under ICPC. Delinquent youth must have a hearing in the Michigan court and the court must make ICPC Article VI findings as a prerequisite to referral out of state. The placement in the receiving state must be licensed in its own state and meet Michigan licensing standards. The facility must have a contracted, MDHHS-approved rate of payment prior to any placement; see [ICM 140, Interstate Residential Care Procedures](#).

## LEGAL BASE

### Federal

#### **Social Security Act, 42 U.S.C. 672(k)(3)(B).**

If the assessment required under section 475A(c)(1) determines that the placement of a child in a qualified residential treatment program is not appropriate, a court disapproves such a placement under section 475A(c)(2), or a child who has been in an approved placement in a qualified residential treatment program is going to return home or be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home, Federal payments shall be made to the State under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of the child while the child remains in the qualified residential treatment program only during the period necessary for the child to transition home or to such a placement. In no event shall a State

receive Federal payments under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of a child who remains placed in a qualified residential treatment program after the end of the 30-day period that begins on the date a determination is made that the placement is no longer the recommended or approved placement for the child.

**Social Security Act, 42 USC 675.**

Requires that each child is placed in a safe, least restrictive (most family like) setting in close proximity to the parents' home, consistent with the best interest and special needs of the child or when placed a substantial distance from the home of the parents the reasons why it is in the best interests of the child. Also requires a child's health and education record be supplied to the provider with whom the child is placed and assurances that each placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.

Requires each state plan to provide that the state has procedures for orderly and timely interstate placement of children.

Emphasizes the preservation of the sibling bond by requiring the state to make reasonable efforts to place siblings in the same placement.

**Social Security Act, 42 U.S.C. 675a(D)(i).**

A trained professional or licensed clinician who is not an employee of the State agency and who is not connected to, or affiliated with, any placement setting in which children are placed by the State.

**Prison Rape Elimination Act National Standards, Subpart D- Standards for Juvenile Facilities, 28 CFR 115.341-115.342.**

Assessment must be completed to reduce the risk of sexual abuse. Placement of residents in housing, bed, program, education and work assignments.

**Prison Rape Elimination Act National Standards, Subpart D- Standards for Juvenile Facilities, 28 CFR 115.342 (a)(c).**

Allows the agency to use all information obtained to make housing assignments for youth with the goal of keeping all residents safe and free from sexual abuse.



Lesbian, gay, bisexual, transgender, or intersex residents shall not be placed in particular housing on the basis of such identification or status.

## State

### **The Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq.**

Defines child caring institution and the licensing and regulation and standards of care.

### **Interstate Compact on Juveniles Act, 2003 PA 56, as amended, MCL 3.691 et seq.**

Supervision or return of juveniles, delinquents, and status offenders; interstate compact; form.

### **Public Health Code, 1978 PA 368, MCL 333.5131(5)(g)**

Provides an exception to the strict rules of confidentiality required for persons with HIV infection, acquired immunodeficiency syndrome (AIDS) or other serious communicable disease.

### **The Social Security Number Privacy Act, 2004 PA 454, as amended, MCL 445.81 et seq.**

Provides prohibitions on the use of social security number and penalties for violations.

### **Social Welfare Act, 1939 PA 280, as amended, MCL 400.115o et seq.**

(1) Both of the following apply to residential care bed space for juveniles who are within or likely to come within the court's jurisdiction under section 2(a) or (d) of chapter XIIA of 1939 PA 288, MCL 712A.2, or committed to the department under the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309:

(a) If 1 or more appropriate juvenile residential care providers located or doing business in this state have bed space available, the department shall use that space rather than a space available by a provider located or doing business in another state. This requirement does not apply if the provider located or doing business in another state offers a specialized program that is not available in this state.

(b) If an excess of bed spaces is available within a security level, the department shall use the bed spaces of private providers with whom it has contracted and allow state owned bed spaces to go unused first. However, in applying this subdivision, a bed space that is available because a facility refused to accept a juvenile does not count toward a surplus.

(2) As used in this section, "appropriate juvenile residential care provider" means a private nonprofit entity domiciled in this state that is licensed by the department of consumer and industry services and that entered into 1 or more contracts with the family independence agency to provide residential care services for juveniles on or before the effective date of the amendatory act that added this section. (Jan. 12, 1999)

**The Youth Rehabilitation Services Act, 1974 PA 150, as amended, MCL 803.304(5).**

When necessary, a youth agency may place a public ward in a public or private institution or agency incorporated under the laws of another state or country and approved or licensed by that state's or country's approving or licensing agency, provided that the program which the youth agency seeks to place a public ward meets licensing laws, requirements, and rules required for the placement of a public ward with a public or private institution or agency in Michigan. However, if 1 or more appropriate juvenile residential care providers located or doing business in this state have bed space available, the youth agency shall use that space rather than a space available by a provider located or doing business in another state. This requirement does not apply if the provider located or doing business in another state offers a specialized program that is not available in this state. For purposes of placements by the department only, "appropriate juvenile residential care provider" means a private nonprofit entity domiciled in this state that is licensed by the department of consumer and industry services and that entered into 1 or more contracts with the department to provide residential care services for youths on or before the effective date of the amendatory act that added this sentence (Jan. 12, 1999).

**The Youth Rehabilitation Services Act, 1974 PA 150, as amended, MCL 803.307(1)**

A youth accepted by a youth agency remains a public ward until discharged from public wardship with the approval of any of the following and, if placed in an institution, shall remain until released with the approval of any of the following:

(a) If the youth was committed to a youth agency under section 18(1)(e) of chapter XIA of 1939 PA 288, MCL 712A.18, and the youth was adjudicated as being in the court's jurisdiction under section 2(a) of chapter XIA of 1939 PA 288, MCL 712A.2, with the approval of the family division of circuit court.

(b) If the youth was committed to a youth agency under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, with the approval of the court of general criminal jurisdiction under section 1b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1b.

**The Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.123a(1)(a)(i)-(iii).**

In the case of a child in foster care who is placed in a qualified residential treatment program, the following requirements apply:

Within 30 days after the start of each placement in a qualified residential treatment program, a qualified individual shall do all of the following:

Assess the strengths and needs of the child using an age-appropriate, evidence-based, validated, functional assessment tool approved by the secretary.

Determine whether the needs of the child can be met with family members or through placement in a foster family home or, if not, which setting would provide the most effective and appropriate level of care for the child in the least restrictive environment and be consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan.

Develop a list of child-specific short-term and long-term mental and behavioral health goals.

**The Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.123a(3)(a)-(c).**

Within 60 days after the start of each placement in a qualified residential treatment program, the court, or an administrative body appointed or approved by the court, independently, shall do the following:

Consider the assessment, determination, and documentation made by the qualified individual.

Determine whether the needs of the child can be met through placement in a foster family home or, if not, whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment and whether that placement is consistent with the goals for the child, as specified in the permanency plan for the child.

Approve or disapprove the qualified residential treatment program placement.

## POLICY CONTACTS

Policy clarification questions may be submitted by juvenile justice supervisors and management to [Juvenile-Justice-Policy@michigan.gov](mailto:Juvenile-Justice-Policy@michigan.gov).

JJAU placement process questions may be submitted to [JJAU@michigan.gov](mailto:JJAU@michigan.gov).